

From: J <jeevacation@gmail.com>
To: "Martin G. Weinberg" <[REDACTED]>
Subject: Re: ATTORNEY CLIENT
Date: Tue, 18 Dec 2018 18:20:05 +0000

Agreed

On Tue, Dec 18, 2018 at 1:10 PM Martin G. Weinberg <[REDACTED]> wrote:

SOME EDITS IN CAPS BELOW if you think it best that I sign with Ken. The most substantive is my suggestion at rewriting the current "threat" to the victims. First, is it something that we really want in this particular forum, an op-ed, but if it is the current language does not feel right from perspective of Court that will likely be reading. Its one thing if Ken or others who will not be representing you before J Marra say this, another if one of your current lawyers is the co-signatory. I have made some edits below. The biggest in last paragraph:

Jeffrey Epstein has paid his debt to society. He has also, upon the insistence of the federal authorities, paid out millions of dollars to the asserted victims and their lawyers. I WOULD DELETE BOTH THE FOLLOWING SENTENCES. The challenges to his Agreement with the Government must also be understood as challenges to the millions Mr. Epstein paid to the asserted victims and their lawyers pursuant to that Agreement and its mandate that he waive his rights to contest civil liability. It is odd indeed for proponents of victims' rights to be clamoring for a result that could require asserted victims to repay the restitution they received from Mr. Epstein. I would add instead - if you want - "that amongst the beneficiaries of the Epstein-Federal Government Agreement were the many victims who collectively received many millions as a result of the conditions imposed by the Government through the Agreement on Mr Epstein that prevented him from meaningfully contesting civil liability - moneys that would be at issue if the current request of one of these victims, Jane Doe 1, to invalidate the agreement, was to be successful.

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From: J [mailto:jeevacation@gmail.com]
Sent: Tuesday, December 18, 2018 12:14 PM
To: Ken Starr <[REDACTED]>; Martin Weinberg <[REDACTED]>; Darren Indyke <[REDACTED]>
Subject: took out the " unhappy " chapter .

I think signed by ken and marty. first offered to the wash post. . lets wait until late in the day , id like to settle with boies ,

"Sweetheart deal!" So goes the attack on the resolution of the more than a decade ago federal investigation involving our former NOT ACCURATE FOR MGW client Jeffrey Epstein. The attack is profoundly misplaced, supported neither by the law or the facts, nor by the structure of our constitutional republic. To the contrary, Jeffrey was subjected to an extremely aggressive federal intrusion into what would typically be considered a quintessentially local criminal matter in south Florida. The offense investigated — at its core, sexual favors for hire — has long been treated as a matter entrusted to laws of the several States, not the federal government. The conduct — for which Jeffrey took full responsibility — was a classic state offense and was being treated exactly that way by able, honest prosecutors in Palm Beach County. Nevertheless, without a request from the state PROSECUTORS, the federal government intervened. Ironically, now, many for their own opportunistic reasons are criticizing the federal decision-makers at the time, including now-Secretary of Labor Alex Acosta (then the United States Attorney in south Florida), for not going far enough.

The critics are wrong on the facts and the law. They also ignore a fact going to the heart of fundamental fairness: In the decade since paying his debt to society, Jeffrey Epstein has led a life characterized by responsible citizenship, numerous acts of generosity and good deeds.

Here are the true key facts: Jeffrey Epstein, a successful self-made businessman with no prior criminal history whatsoever (and who has never, ever, acted as an informant), engaged in illegal conduct that amounted to solicitation of prostitution. That conduct was wrong and a violation of Florida state law. Although no coercion, violence, alcohol, drugs or the like were involved, some of the women he paid were under the age of 18. Those facts were carefully assessed by experienced state sex crime prosecutors who aggressively enforce state criminal laws. No one turned a blind eye to potential offenses to the public order. To the contrary, the Palm Beach State Attorney's Office conducted an extensive 15-month investigation, led by the chief of the Sex Crimes Division. Mr. Epstein was then indicted by the state grand jury on a single felony count of solicitation of prostitution.

During that intense investigation, the state prosecutors extensively gathered and analyzed the evidence, met face-to-face with many of the asserted victims, considered their credibility -- or lack thereof -- and considered the extent of exculpatory evidence, including sworn testimony from many that they lied about being 18 years old to even be allowed into Mr. Epstein's home. After months of negotiations, the state prosecutors believed they had reached a reasoned resolution of the matter that vindicated the public interest -- a resolution entirely consistent with that of cases involving other similarly-situated defendants. The system worked as it should.

Then, in came the feds. The United States Attorney's Office extensively and aggressively investigated MATTERS INCLUDING whether Mr. Epstein had engaged in a commercial human trafficking ring, targeting minors (ALTERNATIVE - ADD - OR TRAVELED INTERSTATE OR USED THE INTERNET TO COMMIT CRIMES). But that's not what this was and that's not what happened. Which is why the federal authorities' ultimate decision to defer prosecution to the state was the right one. But it was a decision that was not without conditions. The federal prosecutors insisted on various unorthodox requirements that Mr. Epstein's experienced defense team had never seen imposed on any defendant anywhere. Under the

federally-forced deal, Jeffrey was required to request that the state prosecutors demand the imposition of a 30 month sentence that included both jail time followed by the strictest conditions of probation and also included and lifetime sex-offender registration, which was far more than warranted by the state grand jury's indictment and would not have otherwise been required under the previously agreed-upon state disposition of this prostitution charge. In addition, as part of this highly unusual deal, the government required Jeffrey both to pay for a highly experienced group of attorneys to bring claims against him on behalf of a government list of asserted victims and to waive the right to challenge those claims, without the government providing him with their identities until after Jeffrey was in jail. Importantly, the feds' decision to decline prosecution in deference to the state in exchange for these extraordinary requirements was reviewed and approved at the multiple levels of the U.S. Department of Justice. Jeffrey took full responsibility, complied with the feds' demands, served his sentence, and in the process was treated exactly the same, including his time served, as any other state-incarcerated individuals. His conduct while in custody was exemplary, and so characterized by the state custodial authorities.

Jeffrey Epstein has paid his debt to society. He has also, upon the insistence of the federal authorities, paid out millions of dollars to the asserted victims and their lawyers. I WOULD DELETE BOTH THESE SENTENCES. The challenges to his Agreement with the Government must also be understood as challenges to the millions Mr. Epstein paid to the asserted victims and their lawyers pursuant to that Agreement and its mandate that he waive his rights to contest civil liability. I WOULD DELETE THE LAST SENTENCE - It is odd indeed for proponents of victims' rights to be clamoring for a result that could require asserted victims to repay the restitution they received from Mr. Epstein. I would add instead - if you want - that amongst the beneficiaries of the Epstein-Federal Government Agreement were the many victims who collectively received many millions as a result of the conditions imposed on Mr Epstein that prevented him from meaningfully contesting civil liability - moneys that would be at issue if the current request of one of these victims, Jane Doe 1, to invalidate the agreement was to be successful.

Our nation faces vitally important challenges, many involving the treatment of women and basic human dignity. Voices are rightly being raised speaking truth to power, especially about women in the workplace. But Jeffrey's offenses of yesteryear, which were well outside of the workplace, have long since been redressed by the criminal justice system. He fully and faithfully has performed every promise and obligation required of him by state and federal authorities. In the spirit of the bedrock American belief in second chances and fundamental fairness, that chapter in Jeffrey's otherwise-productive and charitable life should be allowed to close once and for all.

please note

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